

Draft Environmental Assessment

WEST VALLEY DONATED PUBLIC ACCESS EASEMENT & PROPOSED WILDLIFE VIEWING AREA



February 2018



***Montana Fish,
Wildlife & Parks***

**West Valley Donated Public Access Easement &
Proposed Wildlife Viewing Area
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

The West Valley area north of Kalispell is the only migratory staging area for sandhill cranes in northwest Montana. It also serves as critical migratory habitat for waterfowl, shorebirds, and raptors. Although the area provides year-round wildlife-related recreational opportunities such as wildlife watching and photography, the public must view wildlife from narrow county roads since there are no designated areas for wildlife viewing. Montana Fish, Wildlife & Parks (FWP) proposes to accept a donated ¼-acre public access easement to create a wildlife viewing area that meets the grade and dimensional standards of the Americans with Disabilities Act and provides the public with a safe area for wildlife viewing and outdoor educational opportunities. The easement would provide access to incredible wildlife viewing opportunities not currently available elsewhere in the valley, as well as provide an outdoor classroom for the local schools.

2. Agency authority for the proposed action:

Montana Code Annotated 23-2-101. Legislative findings - purpose. Montana is uniquely endowed with scenic landscapes and areas rich in recreational value. This outdoor heritage enriches the lives of citizens, attracts new residents and businesses to the state, and is of major significance to the expanding tourist industry. It is the purpose of this part to give authority to the Department of Fish, Wildlife, & Parks to plan and develop outdoor recreational resources in the state, which authority shall permit receiving and expending funds including federal grants for this purpose.

3. Name of project:

West Valley Donated Public Access Easement and Proposed Wildlife Viewing Area

4. Project sponsor:

Chris Hammond
Montana Fish, Wildlife & Parks, Region 1
490 North Meridian Road
Kalispell, MT 59901

5. Anticipated schedule:

Estimated public comment period: February-March 2018
Estimated decision notice: March 2018
Estimated commencement date: Spring 2018
Estimated completion date: Spring 2018
Current status of project: (% complete): 0%

6. **Location:**
The project area is located northwest of Kalispell on West Valley Road in Flathead County. The land is located in Section 22, Township 29 North, Range 22 West (Figures 1 through 3).

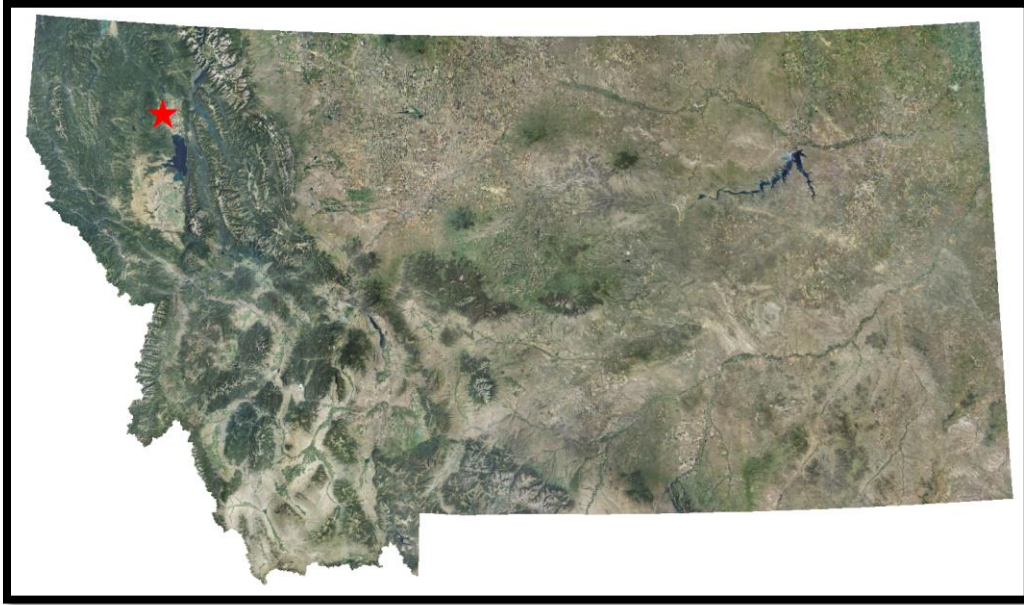


Figure 1. General location of West Valley project area.



Figure 2. Close-up of 328-acre parcel with proposed wildlife viewing area location. Conservation easement on 68 acres in the shaded area completed in October 2017.

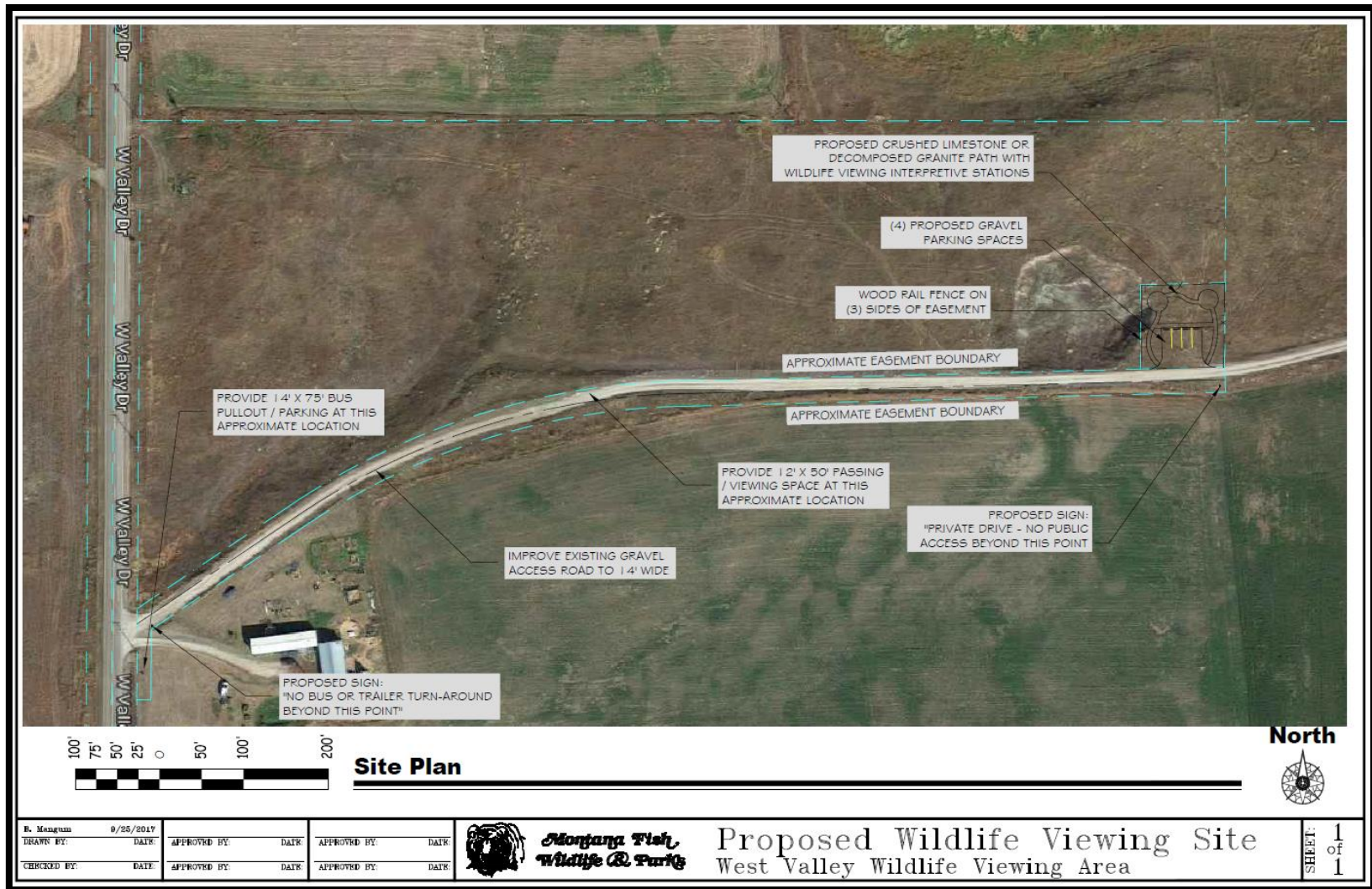


Figure 3. Preliminary plan for the proposed wildlife viewing area.

7. Project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0.25</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

8. Permits, funding & overlapping jurisdiction:

(a) **Permits:** No permits required.

<u>Agency Name</u>	<u>Permits</u>
None	

(b) **Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
FWP Nongame Check-off	\$10,000
Flathead Land Trust (FLT)	<u>\$ 5,000</u>
Potential In-kind Donations	\$ 7,000
Total	\$22,000

(c) **Other overlapping or additional jurisdictional responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
Flathead County Weed Control District	Weed Management Coordination
State Historic Preservation Office	Cultural Clearance (Appendix C)

9. Narrative summary of the proposed action:

This collaborative project will provide a donated public access easement for a wildlife viewing area northwest of Kalispell. The ¼-acre public access easement donated to FWP is a small portion of the 328-acre property which will be under a FLT conservation easement.

Due to zoning requirements, the wildlife viewing area will not be a separate parcel but will have a separate legal description. Therefore, ownership of the wildlife viewing area cannot be donated to FWP as a parcel, but FWP will have a permanent easement on it and the road accessing the site. The wildlife viewing area and road access will be delineated on a Certificate of Survey, and the permanent easement to FWP for the ¼-acre site and road access will be attached to the title of the property. Without FWP's participation by accepting the donation, the project cannot be completed because FLT will lose \$85,000 in funding from the Montana Fish and Wildlife Conservation Trust. The Montana Fish and Wildlife Conservation Trust requires public access as a stipulation for their funding.

The area is currently private land with no public access. The property is easily accessible by paved highways and smaller side roads. Wildlife viewing days have not been

documented but are likely to be exceptionally high due to the accessibility of the viewing area and its location within the Flathead Valley. The easement would provide safe access to an incredible wildlife viewing opportunity not currently available in this part of the valley, as well as provide an outdoor classroom for the local schools. As stated in the FWP Vision and Guide, this project will allow us to continue to foster interest and involvement in the resources we manage through public outreach and education so that people increasingly value these resources and the experiences they provide.

The public access easement would overlook a 45-acre pothole wetland surrounded by several hundred acres of agricultural land. The unique juxtaposition of pothole wetlands and agricultural lands in the West Valley make it a critical staging area for migratory sandhill cranes moving from breeding grounds in Canada to wintering grounds in the southern U.S. and Mexico. It is the only known staging area in northwest Montana that regularly sees hundreds of sandhill cranes during their fall migration. The sandhill cranes use a 4-square-mile staging area that includes this project area during their fall migration. Over 400 sandhill cranes have been seen at one time, staging in this area. According to the Montana Natural Heritage Program (MNHP) observation database, 129 other species of birds have been documented using the pothole wetland area including tens of thousands of waterfowl, shorebirds, and raptors. Priority waterfowl species that will benefit from the project include mallard, northern pintail, American widgeon, cinnamon teal, lesser scaup, redhead, trumpeter swan, and tundra swan. Other common wildlife species found near the project include white-tailed deer, black bear, grizzly bear, badger, coyote, fox, skunk, muskrat, and a variety of small mammals.

A search of the MNHP observation database found that the only plant or animal species listed as Threatened or Endangered by the U.S. Fish and Wildlife Service (USFWS) observed near the proposed West Valley project area was the grizzly bear. Species of concern observed near the proposed project include black tern, great blue heron, Lewis's woodpecker, and little brown myotis.

FWP proposes to accept a ¼-acre donated public access easement and to create a wildlife viewing area. Constructing the wildlife viewing area will include the following actions: (1) repairing the existing access road, (2) widening the road in one location for a pullout, (3) constructing a bus pullout adjacent to West Valley Road where the access road to the viewing area leaves the pavement, and (4) creating a new parking area with an observation trail overlooking the wetland (Figure 3).

The viewing area would be managed in accordance with the terms of the public access easement.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action

If no action were taken with the proposed project, FWP's ability to provide for safer wildlife viewing opportunities would be lost and the Flathead Land Trust conservation easement of 328 acres may not be completed. FWP will lose an opportunity to foster interest and involvement in the resources we manage.

Alternative B: Proposed Action

FWP proposes to accept the donation of a public access easement for a wildlife viewing area northwest of Kalispell. FWP will create a wildlife viewing area that meets the grade and dimensional standards of the Americans with Disabilities Act. The proposed action

would help accommodate the increasing demands for safe and easily accessible wildlife viewing opportunities northwest of Kalispell and allow FWP to foster interest and involvement in the resources we manage. Accepting the donation will allow for the completion of the FLT 328-acre conservation easement project.

11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

FWP would develop the final design and specifications for the proposed action. A private contractor selected through the state's contracting processes would complete the construction.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		No	1b.
c. Destruction, covering, or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

- 1b. The proposed action would remove and replace soil with gravel material for completion of a parking area with walking paths and observation area. Impacts to existing soil patterns, structures, productivity, fertility, and instability beyond the footprint of platforms are not anticipated. Soil and geologic substructure would remain stable during and after the proposed work.

2. <u>AIR</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13c.)			X		Yes	2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns, or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		X				

- 2a. There may be minor impacts to air quality during construction and/or maintenance of the viewing area – exhaust from equipment and dust in the air. These impacts would be limited in duration – only during construction or times of maintenance. Dust can be mitigated by work not occurring during extremely dry conditions or using a water truck if necessary.

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water-related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				

The proposed action would have no effect on water resources at the site.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		No	4a.
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

- 4a. Minimal vegetation will be removed in previously disturbed areas that will be replaced with gravel during site development.
- 4e. There is the possibility for some new weed growth on disturbed and open soil areas of the site. We will manage weeds at the site by implementing the [FWP Statewide Integrated Noxious Weed Management Plan](#).

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?			X		Yes	5g.
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				

5g. While there will be an increase in human use of the viewing area that could stress wildlife, the proposed site has been placed at a distance to minimize any disturbance to wildlife species using the pothole wetland. Public access is for wildlife viewing. Hunting access will continue to be controlled by the landowner.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

6a. Construction equipment would cause a temporary, minor increase in noise levels at the project site during site development and during times of maintenance. Any increase in noise level at the site would be short-term and minor.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use, the presence of which would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				7d.

7a. Accepting the public access easement would lead to the completion of a 328-acre Flathead Land Trust conservation easement. The conservation easement ensures the property will remain in agricultural production with only three building envelopes that total 11.5 acres. There will be the conversion of 0.25 acres of currently unmanaged ground to the wildlife viewing area.

7d. The proposed project would have no effect on the land uses of nearby private properties.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a.)		X				

- 8a. Physical disturbance of the soil during construction could encourage the establishment of additional noxious weeds on the site. FWP would implement an integrated approach to control noxious weeds, as outlined in the [FWP Statewide Integrated Noxious Weed Management Plan](#). The integrated plan uses a combination of biological, mechanical, and herbicidal treatments to control noxious weeds. The use of herbicides would comply with application guidelines to minimize the risk of chemical spills or water contamination and would be applied by people trained in safe handling techniques. There is also a minor risk of an oil spill and/or other substances during construction of the road and viewing area from construction equipment. The contractor will be required to follow best management practices to minimize this risk.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X		X	9e.

9e. Vehicles leaving the viewing area will have a limited line of sight for traffic. However, the speed limit on West Valley Road is 35 MPH which should be slow enough for vehicles to leave the viewing area safely. A bus pullout will be constructed on the south side of West Valley Road to allow school buses a safe area to pull off the road and park, as well as load and unload passengers safely. FWP will work with Flathead County on potential sign placement on West Valley Road to the north and south of the viewing area road to warn vehicles of the approaching viewing area.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources.		X				10e.
f. Define projected maintenance costs.		X				10f.

10e. No revenue sources are projected.

- 10f. Maintenance costs are expected to be minimal. FWP, subject to funding availability, will maintain the access road, parking areas, trails, fences, signs, and other improvements on the easement. Maintenance of these improvements does not include plowing or mowing. FWP will collaborate with the landowner on the control of weeds on the easement based on usage. Flathead Land Trust has raised \$5,000 to assist FWP with the cost of maintenance.

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X		Yes Positive	11c.
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a & 11c.)		X				

- 11c. The proposed action may improve recreational use of the area by providing a designated viewing area (Tourism Report attached - Appendix B).

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12a.)		X				

- 12a/d. A cultural resource inventory was completed and FWP concluded that there is a low likelihood of adverse impacts to cultural resources should the project proceed as proposed. The State Historic Preservation Office (SHPO) has been consulted and has concurred with FWP (Appendix C).

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				13a.
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				13c.
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. For P-R/D-J, list any federal or state permits required.		X				

13a. During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term, and the improvements would provide better recreational opportunities over the long-term. The proposed action would have no negative cumulative effects on the biological, physical, or human environments.

13c. The West Valley Neighborhood Plan encourages conservation easements on lands to protect the agricultural integrity of West Valley.

PART III. NARRATIVE EVALUATION AND COMMENT

During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term, and the improvements would benefit the community and recreational opportunities over the long-term. The proposed action would have no negative cumulative effects on the biological, physical, or human environments. When considered over the long-term, the proposed action positively impacts the public's recreational use of the West Valley.

The minor impacts that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. The natural environment would continue to provide habitat to transient and permanent wildlife species.

The proposed action would not impact the local wildlife species that frequent the property, and the project would be designed to minimize conditions that stress wildlife populations. The proposed project is unlikely to impact the one threatened species and the four species of concern that have been observed in the vicinity of the project.

Soils disturbed during construction could recolonize with weeds. Disturbed areas would be reseeded with a native reclamation seed mix where necessary to reduce the establishment of weeds. In collaboration with the landowners, FWP would continue implementing the [FWP Statewide Integrated Noxious Weed Management Plan](#) using the appropriate chemical, biological, or mechanical method to control weeds on the property.

The proposed viewing area would improve recreational opportunities by providing safe and easily accessible wildlife viewing opportunities for the public.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this draft EA, the proposed action, and the alternative:

- Two public notices in the *Flathead Beacon and Daily Inter Lake*.
- Public notice on the Fish, Wildlife & Parks' web page: <http://fwp.mt.gov>.
- Draft EAs will be available at the FWP Region 1 Headquarters in Kalispell and the FWP State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP, Region 1, issues.
- Notice of this EA will be distributed to neighboring landowners and interested parties to ensure their knowledge of the proposed action.

This level of public notice and participation is appropriate for a project of this scope, having limited impacts, many of which can be mitigated.

If requested within the comment period, FWP will schedule and conduct a public meeting on this proposed action.

2. Duration of comment period:

The public comment period will extend for 14 days. Written comments will be accepted until 5:00 p.m., March 13, 2018, and can be e-mailed to Chris Hammond at chammond@mt.gov or mailed to the address below:

Chris Hammond
West Valley Viewing Area Project
Montana Fish, Wildlife & Parks
490 North Meridian Road
Kalispell, MT 59901

PART V. EA PREPARATION

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? No.**
Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action; therefore, an EIS is not necessary and an EA is the appropriate level of analysis. In determining the significance of the impacts, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact; the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.
- 2. Person(s) responsible for preparing the EA:**
Chris Hammond
Wildlife Biologist, Region 1
490 North Meridian Road
Kalispell, MT 59901
chammond@mt.gov
(406) 751-4582
- 3. List of agencies or offices consulted during preparation of the EA:**
Montana Department of Commerce – Tourism
Montana Fish, Wildlife & Parks
 Design and Construction
 Wildlife Division
 Enforcement Division
Montana Natural Heritage Program
Montana State Historic Preservation Office (SHPO)

APPENDICES

- A. MCA 23-1-110 Qualification Checklist
- B. Tourism Report – Department of Commerce
- C. State Historic Preservation Office Concurrence

APPENDIX A

23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

Date: November 17, 2017

Person Reviewing: Chris Hammond

Project Location: The West Valley Donated Public Access Easement and Proposed Wildlife Viewing Area is located northwest of Kalispell on West Valley Road in Flathead County in Section 22, Township 29 North, Range 22 West (Figures 1 through 4).

Description of Proposed Work: Montana Fish, Wildlife & Parks (FWP) proposes to accept a donated ¼ acre public access easement to create a wildlife viewing area that meets the grade and dimensional standards of the Americans with Disabilities Act and provides the public with a safe area for wildlife viewing and outdoor education opportunities. The easement would provide access to incredible wildlife viewing opportunities not currently available elsewhere in the valley, as well as, provide an outdoor classroom for the local schools.

The following checklist is intended to be a guide for determining whether a proposed action or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

- [X] A. New roadway or trail built over undisturbed land?**
Comments: The existing road will be improved. A new parking area would be built over undeveloped, though disturbed, land.
- [] B. New building construction (buildings <100 sf and vault latrines exempt)?**
Comments: No new construction.
- [X] C. Any excavation of 20 c.y. or greater?**
Comments: Yes, for the viewing area and improvements to the access road.
- [X] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: The parking area would provide a parking for 4 vehicles and would be constructed over undeveloped, though highly disturbed, land.
- [] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**
Comments: No.
- [] F. Any new construction into lakes, reservoirs, or streams?**
Comments: No
- [] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: No.
- [] H. Any new above ground utility lines?**
Comments: No.
- [] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**
Comments: No campsites would be constructed.
- [] J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?**
Comments: No.

APPENDIX B

TOURISM REPORT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Jan Stoddard, Bureau Chief, Sales & Constituent Services
Montana Office of Tourism & Business Development
301 S. Park Ave, Helena, MT 59601

Project Name: West Valley Donated Easement and Proposed Wildlife Viewing Area

Project Description: The West Valley area north of Kalispell is the only migratory staging area for sandhill cranes in northwest Montana. It also serves as critical migratory habitat for waterfowl, shorebirds, and raptors. Although the area provides year-round wildlife-related recreational opportunities such as bird watching and wildlife photography, the public must view wildlife from narrow county roads and has no designated areas for wildlife viewing. Montana Fish, Wildlife & Parks (FWP) proposes to accept a donated ¼ acre public access easement to create a wildlife viewing area that meets the grade and dimensional standards of the Americans with Disabilities Act and provides the public with a safe area for wildlife viewing and outdoor education opportunities.

1. Would this site development project have an impact on the tourism economy?

NO

YES

If YES, briefly describe:

Yes, as described, this project has the potential to positively impact the tourism and recreation industry economy if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is completed.

The West Valley area is an important asset for nonresident visitors and Montana resident visitors seeking scenic drives, bird watching, and photographic experiences. It is featured on the Kalispell Visitor's Center birding map and brochure which is distributed in printed and electronic versions.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?

NO

YES

If YES, briefly describe:

Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities, especially for non-resident visitors with accessibility limitations. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature Jan Stoddard Date: 11/17/17

2/93
7/98sed

APPENDIX C

STATE HISTORIC PRESERVATION OFFICE CONCURRENCE

<p>Big Sky. Big Land. Big History.</p> <p>Montana</p> <p>Historical Society</p> <p>Montana State Historic Preservation Office</p> <p>1410 8th Avenue, PO Box 201202</p> <p>Helena, MT 59620-1202</p> <p>(406)444-7715</p> <p>montanahistoricalsociety.org</p>		<p>FILE SEARCH INVOICE</p> <p>DATE: 4-Oct-17</p> <p>SHPO Invoice #: 2017100401</p>									
<p>Bill To:</p> <p>Contact Name: Chris Hammond</p> <p>Organization: MT FWP</p> <p>Address: 490 North Meridian Rd</p> <p>City/State/Zip: Kalispell MT 59901</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="background-color: #4a7ebb; color: white;">File Search Fee Structure</th> </tr> <tr> <td colspan="2" style="background-color: #4a7ebb; color: white; text-align: center;">\$25 / Section</td> </tr> <tr> <td colspan="2" style="background-color: #d9e1f2; text-align: center;"> <p>For questions contact:</p> <p>Damon Murdo</p> <p>dmurdo@mt.gov</p> <p>406-444-7767</p> </td> </tr> <tr> <td style="background-color: #ffff00; text-align: center; width: 50%;">Total Cost:</td> <td style="background-color: #ffff00; text-align: center; width: 50%; color: red;">\$25.00</td> </tr> </table>		File Search Fee Structure		\$25 / Section		<p>For questions contact:</p> <p>Damon Murdo</p> <p>dmurdo@mt.gov</p> <p>406-444-7767</p>		Total Cost:	\$25.00
File Search Fee Structure											
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Total Cost:	\$25.00										
Project Name:	WEST VALLEY WILDLIFE VIEWING AREA, FLATHEAD COUNTY										
Total sections searched for SHPO Project #: 2017100401		1									
<p>Please make all checks payable to:</p> <p>Montana Historical Society</p> <p>PO Box 201201</p> <p>Helena, MT 59620</p>		<p style="text-align: center;">Or</p> <p style="text-align: center;">Pay Online by clicking</p> <p style="text-align: center;">https://app.mt.gov/cgi-bin/cashier/cashier.cgi?REG_ID=356</p> <p style="text-align: center;">Due upon receipt. Please pay within 30 days.</p>									